

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES <i>vs.</i> DONALD CLAY AYRES <i>pro se</i> Box 221 Belville, Texas phone: (713) 885-2253	<i>For U. S.:</i> Jack M. Short <i>For Defendant:</i> Kenneth L. Stainer (Appt.) Mayo Building Tulsa, Okla. 74103

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 5-31-72	Clerk				
J.S. 3 mailed 6-30-72	Marshal				
Violation False statements	Docket fee				
Title 18					
Sec. 1014					

DATE	PROCEEDINGS
5-3-72	Indictment, filed in open court. hm
5-3-72	Record vote of the grand jury, filed in open court. hm
5-3-72	Appearance bond of the deft. in the amt. of \$2,500.00, filed. hm
5-9-72	Deft. appears in person and is rep. by Ken Stainer, Appt. Govt. rep by Jack Short. Deft. acknowledges receipt of Indictment and waives the reading of it. Deft. is advised of charge, is Arraigned and enters a plea of NOT GUILTY. Case set on <u>May 22, 1972, Jury Docket</u> , at 9:30 A.M. Deft.'s atty. asks Court to grant Deft. permission to travel to Texas, and Court so grants. Deft. to report to probation officer of his whereabouts, and etc. Deft.'s address is Box 221, Belville, Texas; Phone: (713) 885-2253. Deft. is to stand on present bond. (AEB-J)v
5-22-72	Def. present in person and rep. by Kenneth L. Stainer, ret. counsel. Request of parties for continuance sustained, and jury trial continued to Tuesday, May 30 1972 at 10:00 A.M. (AEB-J)h
5-26-72	Subpoenae (3), ret. & filed. g
5-26-72	Plaintiff's Motion For Requested Jury Instructions, filed. js <i>7:00</i>

DATE	PROCEEDINGS
5-31-72	Case called for Jury Trial. Parties present. Court directs jury to be selected in presence of Clerk, with consent of attorneys. Jury Selected, accepted and sworn by Clerk, with one alternate. Jury excused to 6-1-72 at 10:00 A.M. (AEB-J)h
6-1-72	June 1 and 2, 1972. Case called for jury trial. Parties present. Jury in the box with one alternate. Defendant's motion for acquittal overruled. Defendant's renewed motion for acquittal overruled. Jury instructed; bailiff sworn and jury retires for deliberation. Alternate juror excused. (11:45 A.M.) Jury returns with verdict finding defendant NOT GUILTY. Verdict read, filed in open court. Exhibits withdrawn. Jury excused for further call. (AEB-J)h
6-2-72	Judgment on verdict filed. It is entered. It is adjudged that the defendant Donald Clay Ayres is not guilty, on a verdict of Not Guilty, by virtue of the Jury finding of not guilty, and the defendant is discharged, his bond exonerated and the Indictment dismissed. (AEB-J)h

MAGISTRATE
UNITED STATES COMMISSIONER
NORTHERN DISTRICT OF OKLAHOMA

RECORD OF PROCEEDINGS IN CRIMINAL CASES

M-164

72-CR-67

BEFORE Charles F. Burns

(Name of commissioner)

Miami, Oklahoma,

(Address)

MAGISTRATE'S
COMMISSIONER'S
DOCKET No. 1 CASE No. 17
THE UNITED STATES
vs.

Donald Clay Ayres

Complaint filed on 2-2-72, 19, by Leslie E. Farris
Official title Special Agent, FBI, charging violation of
United States Code, Title 18, Section 1014, on 3-25-69
19, at Miami, Oklahoma in the Miami, Okla
division of the Northern district of Oklahoma

as follows: knowingly make a false statement of a material fact upon an application for a loan in the amount of \$5,000.00 submitted to the PNC Employees Credit Union, an agency of the United States, for the purpose of influencing the approval of such loan, in that Donald Clay Ayres stated and represented there in that he was the owner of certain cattle and a horse, to wit: 1) 72 head of cross bred Brahme calves 2) 1 registered quarter horse stud, valued at \$1,500.00".
(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date 2-2-72 Warrant/Summons for Donald Clay Ayres

(Name of defendant)

to (name and title of officer) U S Marshal etc

Substance of return Not received as deft is not in custody.

Date Warrant/Summons for

to (name and title of officer)

Substance of return

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER: Magistrate:

Date 2-2-72 Arrested by Not arrested.

on warrant of Charles F. Burns
U S Magistrate
without warrant.
(Name of issuing officer)

Appearances

for United States None

(Name)

(Address)

for accused None

(Name)

(Address)

Proceedings taken complaint filed and warrant issued and forwarded to U S Marshal

(Here insert with dates, when appropriate, a serialtim account of essential steps taken at hearing such as "complaint prepared,"

at Tulsa, Oklahoma, 2-2-72. Deft is not in custody and location is unknown.

If arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

If that is the fact; any adjournments taken, etc.

Outcome

Bail fixed, 19, Amount, \$, Bonded, 19, by cash
deposited by (name), Address,
transmitted to clerk of district court, 19, [or] by surety
(name), Address,
(name), Address, who
justified by affidavit dated, 19, [or] committed to
on, 19,

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness)_____
at request of (name of party)_____
Substance of return_____

_____, 19____, for (name of witness)_____
at request of (name of party)_____
Substance of return_____

_____, 19____, for (name of witness)_____
at request of (name of party)_____
Substance of return_____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date_____Appearances for_____

{ United States (Name) _____
(Address) _____
Accused (Name) _____
(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing_____names certified to United States Marshal for payment_____, 19____
Proceedings taken_____

Outcome_____

Bail fixed_____, 19____ Amount, \$_____ Bonded_____, 19____, by cash
deposited by (name)_____ Address_____
transmitted to clerk of district court_____, 19____
[or] by surety (names)_____ Address_____
and_____ Address_____
who justified by affidavit_____, 19____ Committed to_____
on_____, 19____

Certified to be a correct transcript.

Made this 2 day of February, 19 72

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma, Feb 2, 19 72

Charles F. Burns

United States Commissioner.

UNITED STATES MAGISTRATE
SOUTHERN DISTRICT OF TEXAS

M-164

72-CA-67
FILED

MAR 16 1972

RECORD OF PROCEEDINGS—MISCELLANEOUS

BEFORE RONALD J. BLASK
(Name of Magistrate)

HOUSTON, TEXAS
(Address)

JOHN H. POE, Clerk
S. DISTRICT COURT

This form should be used to record proceedings for which Forms AO 100 and AO 101 are not adapted, such as applications for search warrants, extradition proceedings, depositions in civil cases, proceedings for the release of poor convicts, references in civil or admiralty cases, attachments and subsequent hearings in internal revenue matters, proceedings to settle or certify nonpayment of seamen's wages, civil rights proceedings, detentions of witnesses on removal proceedings in connection with criminal proceedings, if not included in Form AO 100, etc. A separate page should be used for each proceeding, showing the title of the case, its nature, and the date and nature of each step taken.

Magistrate's
Docket No. 72 HA, Case No. 51

UNITED STATES OF AMERICA

vs.

DONALD CLAY AYRES

REMOVAL HEARING

Complaint out of the ND of
Oklahoma, Miami, Oklahoma
Violation - Title 18 - USC
Section 1014
(Nature of proceeding)

DATE	ACTION
	Complaint filed on February 2, 1972, before U.S. Magistrate Charles F. Burns, Northern District of Oklahoma, Miami, Oklahoma, charging defendant with violation of Title 18, USC Section 1014, making false statement or report for the purpose of influencing a loan and credit application. Bond recommendation of \$2500 cash/surety was made by the Assistant United States Attorney.
2-28-72	Defendant appeared before Magistrate Blask after his arrest and was informed of complaint and advised of his rights. Defendant waived removal hearing and executed document and released upon execution of \$2,500.00 surety bond, covered by Midland Insurance Company by Gerald P. Monk, 2435 North Blvd., Houston, Texas. Defendant's address given as Box 251, Bellville, Texas and P.

